

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3963

IN THE MATTER OF:

Served July 8, 1992

Application of C&M CORPORATION,)
Trading as C&M TRANSPORT, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-92-16

By application filed May 13, 1992, C&M Corporation, a Maryland corporation trading as C&M Transport (C&M or applicant), seeks a certificate of authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

Notice of this application was served on May 14, 1992, in Order No. 3941, and C&M was directed to publish further notice in a newspaper by May 22, 1992, and file an affidavit of publication. C&M published notice on May 23, 1992, and has moved for a one-day extension. The application is unopposed.

SUMMARY OF EVIDENCE

C&M proposes to conduct operations in one leased vehicle with a manufacturer's designed seating capacity of approximately 25 persons. C&M's proposed tariff contains hourly rates and transfer rates for charter service.

C&M's application includes information regarding, among other things, its facilities, vehicle maintenance arrangements, driver training practices, proposed tariff, finances, and regulatory compliance record.

Applicant's president certifies that it has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Applicant's balance sheet as of April 3, 1992, shows current assets of \$6,344; net fixed assets of \$3,500; other assets of \$13,229; current liabilities of \$14,051; long-term liabilities of \$1,178, and equity of \$7,844. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$84,000; other operating income of \$12,000; total operating expenses of \$72,302, and net income of \$23,698.

Applicant's president certifies that neither C&M nor any person controlling, controlled by, or under common control with C&M has any control relationship with a carrier other than C&M.

DISCUSSION AND CONCLUSION

This case is governed by the Compact, Title II, Article XI, Section 7(a) which provides in relevant part that:

the Commission shall issue a certificate to any qualified applicant, . . . if it finds that --

(i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and

(ii) that the transportation is consistent with the public interest.

Based on the evidence in this record, the Commission finds C&M to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. It is further found that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That the motion of C&M Corporation, trading as C&M Transport, to extend the time for publication is hereby granted.

2. That C&M Corporation, trading as C&M Transport, 1335 Rockville Pike, #200, Rockville, MD 20852, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

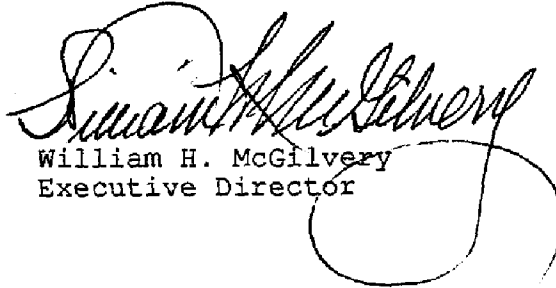
3. That C&M Corporation, trading as C&M Transport, is hereby directed to file the following documents with the Commission within 30 days of the date of this order, or such additional time as the Commission may direct or allow: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) four copies of a tariff or tariffs in accordance with Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; and (e) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61, for which purpose WMATC No. 209 is hereby assigned.

4. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 209 shall be issued to C&M Corporation, trading as C&M Transport.

5. That unless C&M Corporation, trading as C&M Transport, complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may

direct or allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director